

Senate Study Bill 1107 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
EDUCATION BILL)

A BILL FOR

1 An Act relating to school instructional hours and school
2 instructional days and including effective date provisions.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 256.7, subsection 19, Code 2011, is
2 amended to read as follows:

3 19. ~~Define the minimum school day as a day consisting~~
4 ~~of five and one-half hours of instructional time for grades~~
5 ~~one through twelve. The minimum hours as time spent with a~~
6 ~~licensed teacher that shall be exclusive of the lunch period~~
7 ~~and parent-teacher conferences, but may include passing time~~
8 ~~between classes. Time spent on parent-teacher conferences~~
9 ~~shall be considered instructional time. A school or school~~
10 ~~district may record a day of school with less than the minimum~~
11 ~~instructional hours as a minimum school day if any of the~~
12 ~~following apply:~~

13 ~~a. If emergency health or safety factors require the late~~
14 ~~arrival or early dismissal of students on a specific day.~~

15 ~~b. If the total hours of instructional school time for~~
16 ~~grades one through twelve for any five consecutive school days~~
17 ~~equal a minimum of twenty-seven and one-half hours, even though~~
18 ~~any one day of school is less than the minimum instructional~~
19 ~~hours because of a staff development opportunity provided for~~
20 ~~the professional instructional staff or because parent-teacher~~
21 ~~conferences have been scheduled beyond the regular school day.~~
22 ~~Furthermore, if the total hours of instructional time for the~~
23 ~~first four consecutive days equal at least twenty-seven and~~
24 ~~one-half hours because parent-teacher conferences have been~~
25 ~~scheduled beyond the regular school day, a school or school~~
26 ~~district may record zero hours of instructional time on the~~
27 ~~fifth consecutive school day as a minimum school day.~~

28 Sec. 2. Section 256F.4, subsection 5, Code 2011, is amended
29 to read as follows:

30 5. A charter school or innovation zone school shall provide
31 instruction for at least the number of days hours required by
32 section 279.10, subsection 1, ~~or shall provide at least the~~
33 ~~equivalent number of total hours.~~

34 Sec. 3. Section 279.10, Code 2011, is amended to read as
35 follows:

1 279.10 School year — ~~beginning date~~ instructional hours —
2 exceptions — ~~pilot programs~~.

3 1. The school year for each school district and accredited
4 nonpublic school shall begin on the ~~first day of~~ July 1 and
5 ~~each regularly established elementary and secondary school~~
6 ~~shall begin no sooner than a day during the calendar week~~
7 ~~in which the first day of September falls but no later than~~
8 ~~the first Monday in December. However, if the first day of~~
9 ~~September falls on a Sunday, school may begin on a day during~~
10 ~~the calendar week which immediately precedes the first day of~~
11 ~~September. School shall continue for at least one hundred~~
12 ~~eighty days, except as provided in subsection 3, and may be~~
13 ~~maintained~~ end on June 30 and each school calendar shall
14 include not less than one thousand one hundred seventy hours of
15 instruction during the entire calendar year. However, if The
16 board of directors of a school district and the authorities in
17 charge of an accredited nonpublic school shall set the number
18 of days of required attendance for the school year as provided
19 in section 299.1, subsection 2, but the board of directors of
20 a school district shall hold a public hearing on any proposed
21 school calendar prior to adopting the school calendar. If the
22 board of directors of a district or the authorities in charge
23 of an accredited nonpublic school extends the school calendar
24 because inclement weather caused the school district or
25 accredited nonpublic school to temporarily close school during
26 the regular school calendar, the school district or accredited
27 nonpublic school may excuse a graduating senior who has met
28 district or school requirements for graduation from attendance
29 during the extended school calendar. A school corporation
30 may begin employment of personnel for in-service training and
31 development purposes before the date to begin elementary and
32 secondary school July 1.

33 2. ~~The board of directors shall hold a public hearing on any~~
34 ~~proposal prior to submitting it to the department of education~~
35 ~~for approval.~~

1 ~~3. The board of directors of a school district may request~~
2 ~~approval from the department of education for a pilot program~~
3 ~~for an innovative school year. The number of days per year~~
4 ~~that school is in session may be more or less than those~~
5 ~~specified in subsection 1, but the innovative school year shall~~
6 ~~provide for an equivalent number of total hours that school is~~
7 ~~in session.~~

8 ~~a. The board shall file a request for approval with the~~
9 ~~department not later than November 1 of the preceding school~~
10 ~~year. The request shall include a listing of the savings and~~
11 ~~goals to be attained under the innovative school year subject~~
12 ~~to rules adopted by the department under chapter 17A. The~~
13 ~~department shall notify the districts of the approval or denial~~
14 ~~of pilot programs not later than the next following January 15.~~

15 ~~b. A request to continue an innovative school year pilot~~
16 ~~project after its initial year also shall include an evaluation~~
17 ~~of the savings and impacts on the educational program in the~~
18 ~~district.~~

19 ~~c. Participation in a pilot project shall not modify~~
20 ~~provisions of a master contract negotiated between a school~~
21 ~~district and a certified bargaining unit pursuant to chapter~~
22 ~~20 unless mutually agreed upon.~~

23 ~~4. The director of the department of education may~~
24 ~~grant a request made by a board of directors of a school~~
25 ~~district stating its desire to commence classes for regularly~~
26 ~~established elementary and secondary schools prior to the~~
27 ~~earliest starting date specified in subsection 1. A request~~
28 ~~shall be based upon the determination that a starting date on~~
29 ~~or after the earliest starting date specified in subsection 1~~
30 ~~would have a significant negative educational impact.~~

31 Sec. 4. Section 299.4, subsection 1, Code 2011, is amended
32 to read as follows:

33 1. The parent, guardian, or legal custodian of a child who
34 is of compulsory attendance age, who places the child under
35 competent private instruction under either section 299A.2 or

1 299A.3, not in an accredited school or a home school assistance
2 program operated by a school district or accredited nonpublic
3 school, shall furnish a report in duplicate on forms provided
4 by the public school district, to the district by ~~the earliest~~
5 ~~starting date specified in section 279.10, subsection 1~~ July 1
6 of the school year in which the child will be under competent
7 private instruction. The secretary shall retain and file
8 one copy and forward the other copy to the district's area
9 education agency. The report shall state the name and age of
10 the child, the period of time during which the child has been
11 or will be under competent private instruction for the year,
12 an outline of the course of study, texts used, and the name
13 and address of the instructor. The parent, guardian, or legal
14 custodian of a child, who is placing the child under competent
15 private instruction for the first time, shall also provide the
16 district with evidence that the child has had the immunizations
17 required under section 139A.8, and, if the child is elementary
18 school age, a blood lead test in accordance with section
19 135.105D. The term "*outline of course of study*" shall include
20 subjects covered, lesson plans, and time spent on the areas of
21 study.

22 Sec. 5. REPEAL. Sections 256.20 and 256.22, Code 2011, are
23 repealed.

24 Sec. 6. REPEAL. Section 257.17, Code 2011, is repealed.

25 Sec. 7. EFFECTIVE DATE. This Act takes effect July 1, 2012.

26 EXPLANATION

27 This bill strikes language requiring accredited schools
28 to provide at least 180 instructional days in a school year
29 beginning no sooner than a day during the calendar week in
30 which the first day of September falls but no later than the
31 first Monday in December, and specifying what does and what
32 does not constitute instructional time. The bill replaces the
33 language requiring a 180-day school calendar with a requirement
34 that accredited schools provide at least 1,170 instructional
35 hours during the school calendar in a school year that begins

1 July 1 and ends June 30.

2 The school districts and accredited nonpublic schools set
3 the number of days of required attendance for the school year,
4 but school districts must hold a public hearing on a proposed
5 school calendar prior to adopting the school calendar.

6 The bill modifies a provision requiring the state board
7 of education to define the minimum school day. Under the
8 bill, instructional time for grades 1 through 12, is still
9 exclusive of the lunch period and may include passing time
10 between classes, but parent-teacher conferences do not qualify
11 as instructional time. The bill strikes language that permits
12 a school or school district to record a day of school with
13 less than the minimum instructional hours as a minimum school
14 day for emergency health or safety factors and for staff
15 development opportunities.

16 The bill makes conforming changes and strikes or repeals
17 language that permits the department of education to approve
18 an innovative school year pilot program, permits the director
19 of the department to grant a waiver to allow schools to start
20 prior to the school calendar earliest start date, permits the
21 state board of education to approve year around school pilot
22 projects, requires the department to establish an extended year
23 school grant program subject to an appropriation, and penalizes
24 school districts that have not received a waiver for beginning
25 school before the earliest start date allowed.